

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PAUL S. JOHNSON,

Petitioner,

v.

CALIFORNIA DEPARTMENT OF  
CORRECTIONS, et al.,

Respondents.

No. C 08-02730 SBA (PR)

**ORDER OF DISMISSAL WITHOUT  
PREJUDICE**

Petitioner, a state prisoner, filed the present petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On September 15, 2008, mail directed to Petitioner by the Court was returned to the Clerk of the Court with a notation that it was undeliverable. To date, Petitioner has not updated his address with the Court or submitted any further pleadings in this case.

Pursuant to Northern District Local Rule 3-11 a party proceeding pro se whose address changes while an action is pending must promptly file a notice of change of address specifying the new address. See L.R. 3-11(a). The court may, without prejudice, dismiss a complaint when: (1) mail directed to the pro se party by the court has been returned to the court as not deliverable, and (2) the court fails to receive within sixty days of this return a written communication from the pro se party indicating a current address. See L.R. 3-11(b).

More than sixty days have passed since the mail directed to Petitioner by the Court was returned as undeliverable. The Court has not received a notice from Petitioner of a new address. Accordingly, the petition is DISMISSED without prejudice pursuant to Rule 3-11 of the Northern

1 District Local Rules. The Clerk of the Court shall terminate all pending motions and close the file.  
2 The Court has rendered its final decision on this matter; therefore, this order TERMINATES  
3 Petitioner's case.

4 IT IS SO ORDERED.

5 DATED: 11/19/08

  
SAUNDRA BROWN ARMSTRONG  
UNITED STATES DISTRICT JUDGE

1 UNITED STATES DISTRICT COURT  
2 FOR THE  
3 NORTHERN DISTRICT OF CALIFORNIA

4 PAUL S. JOHNSON,

5 Plaintiff,

6 v.

7 / et al,

8 Defendant.

Case Number: CV08-02730 SBA

**CERTIFICATE OF SERVICE**

9 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District  
10 Court, Northern District of California.

11 That on November 20, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said  
12 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said  
13 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located  
14 in the Clerk's office.

15 Paul S. Johnson P-41120  
16 Santa Rita County Jail  
17 5325 Broder Blvd.  
18 Dublin, CA 94568

19 Dated: November 20, 2008

20 Richard W. Wieking, Clerk  
21 By: LISA R CLARK, Deputy Clerk  
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